
From: Curley, Jane
Sent: 26 April 2022 15:40
To: Planning Comments (SMDC)
Subject: FW: Quarry 3 breaches ctd /SMD2019/0646 and SMD/2022/0014

Categories:

Jane Curley (Mrs)
Senior Planning Officer (Majors & Commercial)

From:
Sent: 26 April 2022 13:46
Subject: Quarry 3 breaches ctd /SMD2019/0646 and SMD/2022/0014

Dear Mrs Curley,

Re unauthorised engineering works at Quarry 3 Moneystone and SMD2019/0646 and SMD/2022/0014

Further to my email yesterday I've kept this as a separate item for your consideration of both the above applications and as another example of the evidence of the rash and illegal decision of Abbeydale BEC on behalf of Laver Leisure to carry out the works last year without the correct permissions having been obtained in advance of their excavations.

You may or may not be aware of the Water Resources (Abstraction and Impounding) Regulations) 2006 which stipulates that a licence is required before starting to build an impoundment (that is a structure within inland waters that can temporarily change water levels or flow) **or alter or remove such existing structures.**

Given that according to the timeline I sent you yesterday Abbeydale altered the structure of the bund in the SW corner of the quarry that had acted as a dam or impoundment in their hasty attempt to alter the levels of the water in the quarry 3 reservoir (as classified by the EA in March 2021), they have not only carried out the work without planning permission from SMDC, but also failed to obtain the necessary licence required under the 2006 regulations from the licensing authority.

I should be grateful therefore if you would instruct whoever is investigating the matter to take both breaches into account when reviewing the evidence and when considering enforcement action.

Needless to say that both these illegal acts have a bearing upon both of the above mentioned applications which you are considering as it appears that it is another example of the seemingly unattainable goals currently implicit in the whole scheme which have not been covered by the documentary evidence presented so far. The applicants have to lower the levels to stop the lakeside lodges being flooded but in doing so they have to obtain licences and permissions in order to carry out the engineering works, but at the same time they have to avoid lowering the water table to prevent harming the SSSIs and they must also ensure stability of the quarry faces in

particular along artificial or reconstituted southern flanks of the former quarry where Sibelco landscaped the outer edges of their excavation pit.

As no provision for licensing any of the works under the 2006 regulations has been produced in the documentary evidence supporting both the applications, it would appear that there are further grounds for objections to both applications and therefore I should be grateful if you would ensure that copies of this email are lodged as formal objections in both web files.

For the furtherance of doubt, I should also be grateful if you would acknowledge receipt of the information regarding the illegal breaches and confirm that it will be added to the investigation by SMDC and reflected in the outcome of that review.

It would be greatly appreciated too if the results of that investigation are made available to CVCS and the general public when concluded, as it is important to the planning consultation process that such a duty of candour is fulfilled.

Yours sincerely,

David Walters

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